IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 10291 of 2005

Between:

1 G.Kishan S/o.Kushaiah
R/o.APSRTC Jeedimetla Bus Depot
Hyderabad.
2 V.R.K.Raju S/o.Suryanarayana Raju
R/o.APSRTC Jeedimetla Bus Depot
Hyderabad.
3 S.Anjaiah S/o.Jangaiah
R/o.APSRTC Dilsukhnagar Bus Depot
Hyderabad.
4 K.R.Naik S/o.Jesu Naik
R/o.APSRTC Musheerabad Bus Depot
Hyderabad.

..... PETITIONERS

AND

1 The Regional Manager, APSRTC,Hyderabad City Region
JBS,Picket Hyderabad.
2 The Depot Manager,APSRTC
Jeedimetla Bus Depot Hyderabad.
3 The Depot Manager,APSRTC
Dilsukhnagar Bus Depot Hyderabad.
4 The Depot Manager,APSRTC
Musheerabad Bus Depot Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction in the nature of writ of mandamus declaring the action of the respondents in not giving Special Grade/Stagnation Increment to the petitioners

with effect from their completion of 12 years of service in APSRTC in total (all regions) and counting the present regions service of 12 years for Special Grade as arbitrary, illegal, unjust and unreasonable and contrary to the circulars and contrary to the judgments of this Hon'ble court and consequently direct the respondents to effect the 12 years Special Grade/Stagnation increment to the petitioners on their completion of 12 years in all regions and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the admissions stage made the following :

ORDER:

For not granting stagnation increment the present petition is filed. According to the writ petitioners, they completed 12 years of service in the respondent-corporation and therefore, they are entitled to the stagnation increment. As the stagnation increment/Special Grade was not sanctioned to them, the present writ petition is filed.

The learned counsel for the petitioners contended that the total service rendered in the corporation has to be taken into consideration for granting stagnation increment/Special Grade.

On the other hand, the learned counsel for the respondents contended that as the petitioners have not completed 12 years of service in a particular region, they are not entitled for such benefits.

This Court in W.A.No.1301 of 2000, dated 20.10.2002, held that it is the total service rendered by the petitioner therein in the corporation that counts but not in the division or region. Following the above judgment, the total service of the petitioners has to be taken into consideration in granting stagnation increment/Special Grade. So, the respondents are directed to consider the case of the petitioners for granting stagnation/Special Grade increment, considering the total service rendered by them in the corporation, within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

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28.04.2005

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To

1 The Regional Manager, APSRTC,Hyderabad City Region
JBS,Picket Hyderabad.
2 The Depot Manager,APSRTC
Jeedimetla Bus Depot Hyderabad.
3 The Depot Manager,APSRTC
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